

**NOTICE OF INTENT TO POST A RULE OF THE STATE ELECTIONS BOARD,  
CHAPTER 183-1-6-.02 (6) And 183-1-6-.02 (7) And *RULES OF STATE ELECTION  
BOARD* AND NOTICE OF PUBLIC HEARING.**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia State Election Board, (hereinafter “SEB”) proposes to post an SEB rule, Rule 183-1-6-.02 (6) and Rule 183-1-6-.02 (7) *Rules for Voter Registration by Private Entities* (hereinafter “proposed rule”).

This notice, together with an exact copy of the proposed new rule and a synopsis of the proposed rule, is being distributed to all persons who have requested, in writing, that they be placed on a distribution list. A copy of this notice, an exact copy of the proposed rule amendment, and a synopsis of the proposed rule amendment may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official state holidays, at the Office of the Secretary of State, Elections Division, 2 Martin Luther King Jr. Drive, S.E., 8<sup>th</sup> Floor West Tower, Atlanta, Georgia 30334. These documents will also be available for review on the State Election Board’s web page at [https://sos.ga.gov/index.php/elections/state\\_election\\_board](https://sos.ga.gov/index.php/elections/state_election_board). Copies may also be requested by contacting the Elections Division at 404-656-2871.

To provide the public an opportunity to comment upon and provide input into the proposed rule amendment, a public hearing will be held on:

To provide the public an opportunity to comment upon and provide input into the proposed rule amendment, a public hearing will be held on:

January 22, 2020  
9:00 a.m.  
2 Martin Luther King Jr. Dr. SE  
18<sup>th</sup> Floor, West Tower  
Room 1816  
Atlanta, GA 30334

At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Oral statements should be concise and will be limited to 3 minutes per person. Additional comments should be presented in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record on or before January 13, 2020 to the address below. Written comments must be received on or before January 13, 2020 and be addressed to Jasmine Shannon by mail to Office of the Secretary of State, Elections Division, 2 Martin Luther King Jr. Drive, S.E., 8<sup>th</sup> Floor West Tower, Atlanta, Georgia 30334 or by email to [jshannon@sos.ga.gov](mailto:jshannon@sos.ga.gov).

The State Election Board will consider the proposed rule at a meeting scheduled to begin at 9:00 a.m. on January 22, 2020 at 2 MLK Jr. Dr. SE, 18<sup>th</sup> Floor, West Tower, Room 1816, Atlanta, Georgia 30334.

This notice is given in compliance with O.C.G.A. §50-13-4.

This 19th day of December, 2019.

A handwritten signature in black ink, reading "Brad Raffensperger", written over a horizontal line.

Brad Raffensperger  
Chairman, State Elections Board

Posted: December 19, 2019

**SYNOPSIS OF THE PROPOSED RULE OF THE  
STATE ELECTIONS BOARD, CHAPTER 183-1-, *RULES OF STATE ELECTION  
BOARD*, RULE 183-1-6-.02 (6) And 183-1-6-.02 (7)**

**Purpose:** Intent and Purpose. These rules are promulgated pursuant to the authority granted to the State Election Board by Georgia Laws 1984, p. 1430, (O.C.G.A. Section 21-2-215(f)) and by Georgia Laws 1968, p. 862, (O.C.G.A. Section 21-2-31)). It is the intent and purpose of the rule to establish reasonable, necessary, and uniform rules and regulations to carry out the responsibilities of the State of Georgia with respect to the registration of voters in Georgia.

**Main Features:** The main features are to require third-party voter registration groups to inform applicants that they are required to list their Georgia driver's license or identification card number on their voter registration application if they have one and prohibit third-party voter registrations groups from telling applicants that they do not have to list their driver's license number if they have one, to instruct an applicant to contact their county board of registrars if they have not received notification of the disposition of the application within two weeks of submitting the application, and to limit the prohibition on voter registration activities in certain places.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED  
AMENDMENTS OF THE STATE ELECTION BOARD, *RULES OF STATE ELECTION  
BOARD*, RULE 183-1-6-.02 (6) And 183-1-6-.02 (7)**

NOTE: Struck through text is proposed to be deleted. Underlined text is proposed to be added.

**RULE 183-1-6-.02 (6)—Required Activities**

**(6) Required Activities.** While engaging in organized voter registration activity within this state, a private entity shall:

- (a) Advise each applicant that such applicant has the option to return his or her voter registration application personally to the appropriate board of registrars or to the Secretary of State or to permit the private entity to return it on the applicant's behalf;
- (b) Inform all applicants that they are not officially registered to vote until their eligibility has been determined by the appropriate board of registrars and that, if the applicant has not received notification of the disposition of the application within two ~~three to four~~ weeks of submitting the application, the applicant should contact the appropriate board of registrars to determine if such applicant's eligibility has been determined and the applicant's name entered on the official list of electors;

- (c) Inform all applicants that, if they are registering to vote for the first time in the jurisdiction by mail or through a private entity, they must present current and valid identification either when registering to vote by mail or through a private entity or when voting for the first time after registering to vote by mail or through a private entity;
- (d) Inform all applicants that they are required to:
- (1) List their Georgia driver's license or Georgia state issued ID number if one has been issued;
  - (2) List the last four digits of their social security number if the applicants have not been issued a Georgia driver's license or Georgia state issued ID; and
  - (3) Indicate on the form that they do not have a Georgia driver's, Georgia state issued ID, or social security if none of the foregoing have been issued;
- ~~(d-e)~~ Inform all Georgia applicants of the availability of an online registration status check and polling place locator service on the Secretary of State's website and encourage all applicants to access it in advance of a primary or election day to verify their registration status and correct polling place; and
- ~~(e-f)~~ Inform all applicants of their right, under certain circumstances, to cast a provisional ballot in the event that their names do not appear on the official list of electors at the polls.

For purposes of compliance with the notice provisions provided in this paragraph, it shall be sufficient for the private entity either to post such notices in a conspicuous location at any fixed registration site or to provide such notices in written form to the applicant in a brochure, flyer, or other similar manner at the time of application. The Secretary of State may design and make available to private entities an appropriate model form that includes all required notices pursuant to this paragraph.

#### **RULE 183-1-6-.02 (7)—Prohibited Activities**

- (7) **Prohibited Activities.** While engaging in voter registration programs within Georgia, a private entity shall not:
- (a) Represent to any person that the private entity is a representative of the Secretary of State or a board of registrars authorized by law to receive voter registration applications in person;
  - (b) Make any statement to an applicant or take any action that the private entity knows or reasonably should know would discourage a qualified applicant from registering to vote;

- (c) Refuse to accept and transmit a properly completed and contemporaneously dated voter registration application from any qualified individual;
- (d) Be inebriated or otherwise impaired by drugs, alcohol, or other substances;
- (e) Conduct voter registration activities at locations where the private entity knows that illegal or criminal activities are being conducted near the voter registration activities;
- (f) Accept a completed registration application from the applicant unless such application has been sealed by the application, without a signed acknowledgement from the applicant that the applicant willingly and knowingly provided the unsealed application to the private entity;
- (g) Copy a completed registration application without the express, written permission of the applicant;
- (h) Conduct voter registration activities in places where the primary purpose of that place is the sale and consumption alcoholic beverages are sold and consumed on the same premises; and;
- (i) Tell applicants that they did not have to their Georgia driver's license or identification card number on the voter registration application if the applicant has been issued a Georgia driver's license or identification card.

Authority: O.C.G.A. § 21-2-31

### **COPY OF THE PROPOSED NEW RULE**

#### **RULE 183-1-6-.02 (6)—Required Activities**

**(6) Required Activities.** While engaging in organized voter registration activity within this state, a private entity shall:

- (a) Advise each applicant that such applicant has the option to return his or her voter registration application personally to the appropriate board of registrars or to the Secretary of State or to permit the private entity to return it on the applicant's behalf;
- (b) Inform all applicants that they are not officially registered to vote until their eligibility has been determined by the appropriate board of registrars and that, if the applicant has not received notification of the disposition of the application within two weeks of submitting the application, the applicant should contact the appropriate board of registrars to

determine if such applicant's eligibility has been determined and the applicant's name entered on the official list of electors;

- (c) Inform all applicants that, if they are registering to vote for the first time in the jurisdiction by mail or through a private entity, they must present current and valid identification either when registering to vote by mail or through a private entity or when voting for the first time after registering to vote by mail or through a private entity;
- (d) Inform all applicants that they are required to:
  - (1) List their Georgia driver's license or Georgia state issued ID number if one has been issued;
  - (2) List the last four digits of their social security number if the applicants have not been issued a Georgia driver's license or Georgia state issued ID; and
  - (3) Indicate on the form that they do not have a Georgia driver's, Georgia state issued ID, or social security if none of the foregoing have been issued;
- (e) Inform all Georgia applicants of the availability of an online registration status check and polling place locator service on the Secretary of State's website and encourage all applicants to access it in advance of a primary or election day to verify their registration status and correct polling place; and
- (f) Inform all applicants of their right, under certain circumstances, to cast a provisional ballot in the event that their names do not appear on the official list of electors at the polls.

For purposes of compliance with the notice provisions provided in this paragraph, it shall be sufficient for the private entity either to post such notices in a conspicuous location at any fixed registration site or to provide such notices in written form to the applicant in a brochure, flyer, or other similar manner at the time of application. The Secretary of State may design and make available to private entities an appropriate model form that includes all required notices pursuant to this paragraph.

#### **RULE 183-1-6-.02 (7)—Prohibited Activities**

- (7) **Prohibited Activities.** While engaging in voter registration programs within Georgia, a private entity shall not:
  - (a) Represent to any person that the private entity is a representative of the Secretary of State or a board of registrars authorized by law to receive voter registration applications in person;

- (b) Make any statement to an applicant or take any action that the private entity knows or reasonably should know would discourage a qualified applicant from registering to vote;
- (c) Refuse to accept and transmit a properly completed and contemporaneously dated voter registration application from any qualified individual;
- (d) Be inebriated or otherwise impaired by drugs, alcohol, or other substances;
- (e) Conduct voter registration activities at locations where the private entity knows that illegal or criminal activities are being conducted near the voter registration activities;
- (f) Accept a completed registration application from the applicant unless such application has been sealed by the application, without a signed acknowledgement from the applicant that the applicant willingly and knowingly provided the unsealed application to the private entity;
- (g) Copy a completed registration application without the express, written permission of the applicant;
- (h) Conduct voter registration activities in places where the primary purpose of that place is the sale and consumption of alcoholic beverages; and
- (i) Tell applicants that they did not have to their Georgia driver's license or identification card number on the voter registration application if the applicant has been issued a Georgia driver's license or identification card.

Authority: O.C.G.A. §21-2-31